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APPLICATION NUMBER 10/791,372

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In re Application of
Dennis S. Janovici et al.
Application No. 10/791,372
Filed: March 1, 2004
Attorney Docket No. 1131-102.US
Title: CLAMP CONNECTION AND
RELEASE DEVICE

OFFICE OF PETITIONS

DECISION ON RENEWED
PETITION PURSUANT TO
37 C.F.R. § 1.181(A)

BACKGROUND

This is a decision on the renewed petition pursuant to 37 C.F.R. § 1.181(a), filed October 9, 2007, to withdraw the holding of abandonment.

The above-identified application became abandoned for failure to fully reply in a timely manner to the Notice of Missing Parts (first notice), mailed July 2, 2004, which set a shortened statutory period for reply of two months. A response was received on October 8, 2004, along with a one-month extension of time. On October 21, 2004, the Office mailed a Notice of Incomplete Reply (Nonprovisional) (second notice), setting forth that Applicant's response was deficient in the amount of \$18, as he failed to submit the complete amount that was due for the additional claim fees. A response was received on October 28, 2004, but Applicant failed to include the required \$18. No additional extensions of time under the provisions of 37 C.F.R. § 1.136(a) were requested, and no further responses were received. Accordingly, the above-identified application became abandoned on January 9, 2005. A notice of abandonment was mailed on May 3, 2007.

An original petition was filed on May 21, 2007, and was dismissed via the mailing of a decision on September 21, 2007.

Decision on Renewed Petition pursuant to 37 C.F.R. § 1.181(a)

Considering the facts and circumstances of the delay at issue, as set forth on renewed petition, it is concluded that Petitioner has met his burden of establishing that the holding of abandonment should be withdrawn.

Accordingly, the petition under 37 C.F.R. § 1.181(a) is GRANTED. The holding of abandonment is **WITHDRAWN**.

The Office of Patent Application Processing (OPAP) will be notified of this decision so that the application may receive further processing.

The general phone number for OPAP is 571-272-4000. Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225¹.



Paul Shanoski
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Office of Petitions
United States Patent and Trademark Office

¹ Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.